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ISSUANCES

of the
Meat and Poultry Inspection Program

September 1976



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MPI Publications

Changes

76-9, Meat and Poultry
Inspection Manual

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Inspection Regulations

UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Meat and Poultry Inspection Program
Washington, D.C. 20250

MPI PUBLICATIONS

Issuances of the Meat and Poultry Inspection Program. This publication contains selected CFR amendments, MPI bulletins, and MPI directives; changes to the Meat and Poultry Inspection Manual; and changes to the Meat and Poultry Inspection Regulations. It is published monthly by the Issuance Coordination Staff, Technical Services. Subscription for 1 year (12 issues) is \$9.00 in the United States and possessions, and \$11.25 in other countries; cost of each single copy is \$0.75.

Meat and Poultry Inspection Manual. This publication contains procedural guidelines and instructions useful in enforcing laws and regulations related to Federal meat and poultry inspection. Copy of the publication and changes since its printing: \$16.50 in the United States and possessions, and \$20.75 in other countries.

Meat and Poultry Inspection Regulations. This publication contains regulations for slaughter and processing of livestock, poultry, as well as for certain voluntary services and humane slaughter. Copy of the publication and changes since its printing: \$30.00 in the United States and possessions, and \$37.50 in other countries.

Directory of Meat and Poultry Inspection Program Establishments and Officials. It is published semi-annually. Subscription for 1 year (two issues) is \$7.60 in the United States and possessions, and \$9.50 in other countries; cost of one copy is \$3.80 in the United States and possessions, and \$4.75 in other countries.

List of Chemical Compounds. This publication lists nonfood compounds authorized for use in plants operating under U.S. Department of Agriculture Meat and Poultry, Rabbit and Egg Products Inspection Programs, and the U.S. Department of Commerce, Fishery Products Inspection Program. Cost of one copy is \$2.45 in the United States and possessions, and \$3.05 in other countries.

U.S. Inspected Meatpacking Plants; A Guide to Construction, Equipment, Layout; Agriculture Handbook No. 191. This handbook is designed to supply interpretation of regulations and guidelines in designing, building, altering, and maintaining meatpacking plants to operate under Federal inspection. Cost of one copy is \$2.65 in the United States and possessions, and \$3.35 in other countries.

Accepted Meat and Poultry Equipment. This publication contains information on equipment construction and acceptance, and lists commercially available equipment acceptable for use in federally inspected meat and poultry plants. It is published three times yearly. Cost of one copy is \$0.80 in the United States and possessions, and \$1.00 in other countries.

IMPORTANT: How to order

Persons--other than MPI personnel--wishing to receive the above publications should write to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Check or money order should be made payable to the Superintendent of Documents and should accompany the request.

CORRESPONDENCE

Correspondence on subscriptions should be addressed to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Correspondence on the contents should be addressed to USDA, APHIS, MPI, Issuance Coordination Staff, Washington, D.C. 20250.

Correspondence by MPI personnel on the mailing and distribution should be addressed through the regional director, and by State personnel through the State program director and MPI regional director to USDA, APHIS, Administrative Services Division, Room 727-A, Federal Building, Hyattsville, Maryland 20782.

September 17, 1976



UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Meat and Poultry Inspection Program
Washington, D.C. 20250



MEAT AND POULTRY INSPECTION MANUAL

CHANGE: 76-9

Maintenance Instructions

September 1976

Remove Page	Insert Page	Numbered
133 and 134	133 and 134	76-9
217 and 218	217 and 218	76-9
257 and 258	257 and 258	76-9
279 and 280	279, 280, and 280a	76-9

Pen-and-Ink Changes

Page 157, Section 18.46 (b), delete.

Page 158, Section 18.46 (c), first column, first line, change "(c)" to "(b)."

Note: Changes on page 133 deletes MPI Bulletin 656.

Changes on page 257 deletes MPI Bulletin 76-101.

Changes on page 279 deletes MPI Bulletins 872 and 75-179.



UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Meat and Poultry Inspection Program
Washington, D. C. 20250



MEAT AND POULTRY INSPECTION REGULATIONS

CHANGE: 76-8/9

September 1976

MAINTENANCE INSTRUCTIONS

Remove Page	Insert Page	Numbered
SUBCHAPTER A - MANDATORY MEAT INSPECTION		
ix	ix	76-8/9
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11	11	76-8/9
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SUBCHAPTER C - MANDATORY POULTRY PRODUCTS INSPECTION		
11	11	76-8/9
12	12	76-8/9

101	101	76-8/9
102	102	76-8/9
	102a	76-8/9

NOTE: The regulation changes in this month's issuance contain those for both August and September.

oils, disodium inosinate, disodium guanalate, hydrolysates of animal or plant origin such as gelatin, hydrolyzed vegetable protein, hydrolyzed plant protein, soy products, or combinations of these materials--are not acceptable for entry into an official establishment for use when premixed or blended with nitrites and/or nitrates. Such mixtures without nitrites or nitrates or those which include separate and distinctly identified packages of nitrites and/or nitrates in their containers are acceptable. This restriction does not include curing compound premixtures or blends of nitrites and/or nitrates with salts, sugars, corn syrup solids, and monosodium glutamate.

* Manufacturers of these excluded
* curing compounds may tint their prod-
* ucts with FD&C Red #3 dye as an aid
* to easy identification. To accom-
* plish this, each 100 pounds of tinted
* compound may contain up to 0.45 grams
* of FD&C Red #3 and not less than 3
* pounds of nitrite. Cure compounds
* prepared according to this procedure
* must be labeled to identify FD&C Red
* #3; however, reference to this
* coloring need not be made on the meat
* or poultry product in which the
* compound is used.

All materials should be enclosed in sanitary containers bearing name and address of manufacturer or other qualifying phrase if other than the manufacturer, such as "manufactured for," "packed for," or "distributed by."

All approved substances listed in the regulations (318.7 and 381.147) and other nonmeat/nonpoultry items used as ingredients of meat or poultry products must be food grade types. They should be identified as "Food Grade" or "FCC" (Food Chemical Codex) on their containers, or be accompanied by a supplier's letter of guaranty. Egg and/or milk products shall be handled as outlined in 18.20(c).

Items identified as "FDA Certified," or as having been prepared in USDA

approved plants and nonfood items, such as anti-caking agents, filter aids, dry ice, artificial casings, and similar products, need not be marked "Food Grade" nor be accompanied by a letter of guaranty.

(b) Suppliers' Guaranty

Letters of guaranty are required to assure that proper food ingredients are used in meat or poultry products. The guaranty is referenced in section 303(c) of the Food, Drug, and Cosmetic Act. Definitions and suggested forms are contained in FDA regulations (21 CFR 1.5).

A guaranty may be:

1. Limited to a specific shipment or delivery of an article in which case it may be part of or attached to the invoice or bill of sale, such as:

"(name of person or company giving the guaranty) hereby guarantees that no article listed herein is adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act."

(Signature and address of responsible person)

2. General and continuing, such as:

"The article comprising each shipment or other delivery hereafter made by (name of person or company giving guaranty) or on the order of (name and address of person or company to whom the guaranty is given) is hereby guaranteed as of the date of such shipment or delivery to be, on such date, not adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act."

(Signature and address of responsible person)

3. Master continuing. A multiplant firm may keep a master continuing guaranty file and give each plant an updated list of suppliers.

(1) Responsibility

(i) Plant. A guaranty does not relieve the plant from its responsibility of examining food ingredients to assure they are wholesome, nor from

subjecting them to further cleaning, washing, or otherwise preparing them according to good commercial practices.

(ii) **Inspector.** He shall assure that the plant adheres to all requirements. If a limited guaranty is used, he shall verify approximately every 2 weeks that 10-20 randomly selected lots are covered by a guaranty.

If required letter of guaranty is not produced, items not properly covered will be retained. Subsequent lots of nonmeat or nonpoultry items shall also be retained until the plant demonstrates compliance. Regular monitoring is to be resumed when the inspector is satisfied that the plant is complying with requirements.

(c) Egg and/or Milk Products

(1) **Egg products.** A letter of guaranty is required for shell eggs. Other egg products must be USDA inspected for wholesomeness and carry marks as in Figure 18.1.

Plant number may be within shield or printed elsewhere on the container. If pressure-sensitive labels are used, the number must be within the shield.



Figure 18.1

(2) **Dry milk products.** Dry milk products such as nonfat dry milk (NFDM), whole milk, buttermilk, whey, calcium reduced skim milk, and dairy blends of any of the above, identified as USDA inspected or sampled, are acceptable if

any one of the following are met:

a. Each container is stamped with one of the inspection marks shown in Figures 18.2 and 18.3.

b. Each container is identified with a currently listed Approved Dairy Plant number along with the name and address of the plant or the name and address of the distributor.

c. Distributor provides a certificate issued by the Dairy Division, AMS, which identifies the product by code stamped on each container, product composition and quality, and number of containers it covers.

d. Each container is identified by the code of a currently listed Approved Dairy Plant (by State and plant number), along with a product name or code.

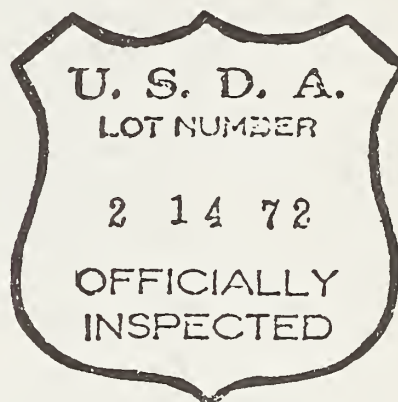


Figure 18.2

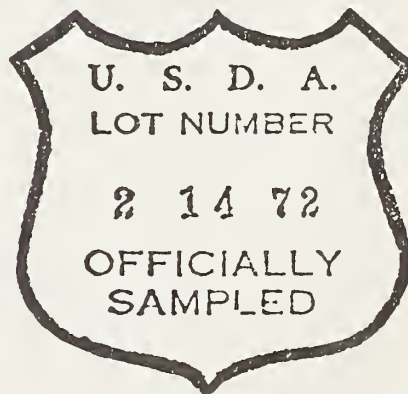


Figure 18.3

(d) Tuberculosis

(1) **Nonreactor.** Report all non-reactor cattle and calves with lesions resembling tuberculosis and all mature cattle with thoracic granulomas, except those considered to be coccidioidomycosis found in feedlot steers and heifers, on Form VS 6-35. Report routine "passed for cooking" and condemned carcasses on a separate form in States having a swine tuberculosis program, and not on VS 6-35. Only swine having gross lesions of tuberculosis involving thoracic cavity will be reported on Form VS 6-35.

(2) **Reactor.** Lesions from reactors shall be accompanied by Form MP 23.

(3) **Specimens.** Tuberculosis lesions and thoracic granulomas shall be sent to Veterinary Services Laboratory (VSL), P.O. Box 70, Ames, Iowa 50010, for diagnosis. Trim lesions free of fat, divide into blocks approximately 1/2 inch thick, and place in formalin and sodium borate solution (SBS) provided in shipping container. Maximum solution to tissue ratio is 10 to 1 for formalin, and 1 to 1 for SBS. Lesions too small to be divided shall be sent in formalin. When laboratory assistance is needed to determine cattle carcass disposition, check Item 18 on Form VS 6-35 and attach Form VS 10-23 (inside box flap) to outside of mailing box. Leave all identifying devices from each animal in plastic bag, and send to VSL in box with specimens. Do not remove sponge. When laboratory assistance is needed to determine swine carcass disposition, send specimen to MPI laboratory with MP 23.

(e) Myiasis

When animals with maggot infested wounds are observed, collect at least 10 larvae, some from deep within the wound. If larvae are of different size or age, collect samples of each size. Put specimens in blood tubes

containing alcohol as preservative and send them air mail, with completed form ANH 2-11, to Veterinary Services Laboratory, USDA, APHIS, P.O. Box 969, Mission, TX 78572. *

21.5 TRANSPORT VEHICLE CLEANING

MPI personnel will supervise handling of trucks, trailers, and railroad cars used for animals affected with an infectious disease and received at federally inspected plants where VS employees are not stationed.

For cleaning and sanitizing, see regulations (9 CFR 71) and use procedures outlined below.

(a) Trucks, Trailers

Once a plant employee is instructed on procedures to follow in cleaning and disinfecting trucks, inspector does not need to supervise disinfection of every truck. However, he must assure that:

1. Trucks are properly cleaned before applying the disinfectant.
2. Spraying equipment is adequate.
3. An ample supply of a permitted disinfectant is available.
4. Mixed disinfectant is of proper strength.
5. All inner surfaces of trucks are saturated with disinfectant.

Plant employee should keep a record of cleaned trucks or trailers by recording their license numbers.

(b) Railroad cars

When an infectious car is received, the inspector shall:

1. Securely attach a placard, ANH 3-62B, to each side of the car, telephone responsible railroad official, and confirm by letter.
2. Where possible, arrange to supervise disinfection of all infectious cars received.

(c) ANH Forms

See Part 20.

21.6 MARKET CATTLE TESTING (MCT)

(a) Blood Collection

MPI is responsible for collecting blood samples at federally inspected plants from mature cattle.

(1) Mature cattle. The inspector shall:

a. Take blood samples from all mature cows and bulls. Mature cows and bulls are defined as being 2 years of age or over, and parturient or post-parturient cows less than 2 years old.

b. Take blood samples from bleeding animal, brachial plexus, heart, or any other adequate method. About one-half to three-fourths tube of blood provides the right amount for laboratory handling.

c. Place blood sample in plastic bag with all identifying devices. Maintain samples in same sequence as collected to correlate with plant's daily kill schedule. Send blood samples and identifying devices to appropriate laboratory. Include daily kill

* schedules. Since all identification
* devices are submitted with specimen
* of tuberculosis-like lesions from non-
* reactor cattle and are not available
* to identify MCT blood samples, VS has
* provided VS Form 1-16 to record all
* identification numbers and accompany
* the MCT blood samples from carcasses
* of such cattle. This form and VS Form
* 6-35 will be provided in each TB speci-
* men box returned from the VS Laboratory.

d. Assure that samples are protected from freezing, moisture, or contamination, and refrigerate them at 35-40° F. after serum separation.

e. When possible, mail blood samples daily or at least every other day, unless local arrangements are made for pick up. Franked labels, addressed to the proper laboratory, are provided.

(2) Sample tubes, mailing boxes.

The State VS staff will arrange for supplying blood sample tubes, mailing boxes, franked labels, record forms and racks at each plant involved.

(b) Program Operation

MCT blood samples are being collected at practically all federally inspected plants. Where not done, local VS representative and MPI area supervisor make necessary arrangements with plant to institute a program.

RD develops necessary working arrangements with all plants in his region after initial arrangements have been agreed to, and by working closely with VS Directors in their respective regions.

In these arrangements, MPI acts as an agent for VS in collecting blood samples and related activities dealing with animal disease found on post-mortem inspection. VS and MPI arrange for collecting blood samples at all plants under Federal inspection. In plants where MPI personnel are unable to collect samples, arrange through VS to have a plant employee or contract technician collect samples under MPI supervision.

21.7 IMPORTED CATTLE

Broker, commission agent, packer, or other responsible person must notify the veterinarian in charge when Canadian cattle are received at an official plant and must identify such cattle to the inspector. After slaughter, MPI will notify the VS inspector in charge at the border point of entry by using Form ANH 17-33. MPI will complete this form only for animals slaughtered in federally inspected plants.

Tuberculosis. If tuberculosis lesions are found in Canadian cattle, prepare specimen and complete Forms VS 6-35, ANH 17-33 and submit with all identifying devices to VSL, Ames, Iowa.

22.55 PERU**Meat Products**

Unscalded stomachs. See 22.17(b)(2).

22.56 POLAND**Meat Products**

Export certificate shall be visaed by consul of that country.

Pork (R). Besides the regular export certificate, the following letterhead certificate, signed by an MPI veterinarian, should accompany shipment of pork:

1. Meat is derived from hogs slaughtered in a federally inspected establishment under continuous veterinary supervision.

2. Meat is derived from animals which received veterinary ante- and post-mortem inspection.

3. Meat is sound and fit for human consumption with no indication of hog cholera (swine fever) or other contagious animal disease.

4. There is no foot-and-mouth disease in the United States.

22.57 PORTUGAL*** Meat/Poultry Products**

They are subject to laboratory testing by the Portuguese Government for organisms harmful to human and/or animal health; however, a special certification is not required. Issue only

* MP Form 412-3 for meat products and MP

* Form 506 for poultry products.

22.58 ST. VINCENT ISLAND**Meat Products**

Add to export certificate covering fresh, cured, or smoked products, the statement "The United States is free from foot-and-mouth disease."

22.59 SALVADOR (E1)**Meat Products**

Export certificate must be visaed by consul of that country.

22.60 SINGAPORE**(a) Meat Products**

Carcasses, parts, and products (chilled, frozen, dried, dehydrated, salted, pickled, or smoked), must be accompanied by the following:

1. A meat inspection certificate, MP Form 412-3, with the following additional statement:

"The products for export to Singapore are fit for human consumption and every precaution has been taken to prevent contamination prior to export."

2. A general veterinary certificate on departmental letterhead that:

"The country was free of foot-and-mouth disease and rinderpest for 6 months immediately prior to the date of export to Singapore."

In the case of pork and pork products, a statement in addition to the above that "The country or State was * free of hog cholera during the last 6 months."

3. An import permit from the Director of Primary Production, Singapore, permitting the importation of such product.

Canned product. For vacuum-packed, hermetically sealed, heat-treated, canned products, MP Form 412-3 must have the following additional statements:

Products were (1) manufactured according to standard canning processing technique and were subjected to a temperature of not less than 100° C. for not less than 90 minutes; (2) were prepared with meat from animals subjected to ante- and post-mortem examinations and found free from disease; (3) not treated with chemical preservatives or other foreign substance injurious to health; (4) sanitarily prepared, processed, and packed under veterinary supervision, and are fit for human consumption.

NOTE: Any processing variation from the 100° C. for not less than 90 minutes should be submitted to the

Primary Production Department, Government of Singapore, for approval. Shipments must not be made until such approval is obtained.

An MPI veterinarian must sign all certificates (followed by the DVM initials). The signature shall be impressed with the official USDA inspection seal.

(b) Poultry Products

The following statement, certified by an MPI veterinarian, must be typed on MP Form 506 under remarks:

"The district from which the poultry is derived was free from foot-and-mouth disease and rinderpest for the last 6 months and immediately prior to slaughter and export of the poultry. The poultry and/or poultry products are free from evidence of fowl pest and fowl cholera."

22.61 SURINAM

Poultry Products

Chicken Feet. They may be exported, provided each shipment is accompanied by MP Form 506 with the following certification:

"This certifies that the poultry feet specified above have been processed in compliance with the Regulations Governing the Inspection of Poultry and Poultry Products (9 CFR Part 381) as promulgated by the Secretary of Agriculture, and are sound and wholesome so far as can be determined by external examination, and are from chickens of U.S. origin."

22.62 SWEDEN

(a) Meat Products

(1) **Fresh.** Beef, veal, mutton, and lamb may be exported under the same conditions outlined for export of these *products to Canada with respect to DES *certification. (Section 22.23 and MPI/VS Bulletin 787).

(2) **Processed.** For product not previously exported to Sweden, product

description and labels must be submitted to Swedish authorities through importer licensed by such authorities to import the product.

(3) **Pork.** Only cooked pork products may be exported.

(4) **Certification.** Certificates must be signed by an MPI veterinarian.

(1) **Health examination.** An annual medical examination is required only for establishment personnel engaged in final cutting and packaging of meat in plants exporting to Sweden. MPI personnel should not issue export certificates unless plant management furnishes records of such examination. The medical examination should (1) include feces tests for Salmonella and Shigella, (2) apply to new employees at time of employment, and (3) be repeated annually. Fecal examinations should be done by government laboratories (Federal, State) or by government-approved laboratories.

For fresh/frozen cutup meat the following statement must be typed on the reverse of MP Form 412-3: "The products covered by this certificate have been handled by personnel subject to medical examination according to the Swedish Food Administration Implementing Ordinance SLV 1973:15, 1973-09-11. The cutting, packaging, and general treatment of the products have been accomplished in hygienically acceptable and temperature-controlled facilities not exceeding 10° C. (50° F.)." This statement is not needed on certificates covering whole, half, or quarter carcasses.

(11) **Fresh product.** Issue MP Form 412-3. For fresh beef, mutton, lamb, meat food products (and byproducts), * and veal from carcasses weighing more than 220 pounds (carcass weight), the following statement must be typed on the certificate:

"I certify, to the best of my knowledge and judgment, that the meat

(b) Additional Certification; Examples

According to country of origin, type of product, method of preparation or other special circumstances, certain shipments may require additional certification. Such certifications should appear on the face or reverse side of the regular certificate (original).

(1) **Pork.** Product prepared to be eaten without cooking and containing pork muscle tissue must have trichinae certification as required by regulations (MR-327.4(b)). Such certification is not required for canned product since it is heated to a temperature that destroys trichinae.

(2) **Spring lamb.** A statement is required for "New Zealand genuine spring lamb" carcasses and/or product indicating that they are from new crop lambs slaughtered in New Zealand from October 23 through (following) May 31.

(3) **Shankless lamb.** Lambs without attached foreshanks require a statement indicating the product is from ovine animals less than 1 year old, and foreshanks are broken at distal epiphyseal cartilage of metacarpal bone.

(4) **Residues.** Residue certification must be included for specific plants required to sample product before shipment.

(5) **Delisted plants.** These plants require a certification stating the product was produced before delisting date.

(c) Lot Division; Certificate Photostats

Occasionally, product covered by one certificate may be divided into several lots, and scheduled to be unloaded at various ports or shipped to different destinations for inspection. In such cases, import inspection

supervisor receiving the original certificate will (1) require the importer to furnish enough photostats to cover each portion shipped to different locations; and (2) authenticate each copy by dating, signing, including individual destination circuit and amount of product.

(d) Variation from Certified Amount

When a certified lot or shipment contains less than the amount noted on the certificate, the importer will thoroughly check the area and other shipments for the missing portion. If missing amount is not found or available, he must write and sign a statement on the MP Form 410 indicating actual shortage and reason. This variation is not allowed for sorted out, damaged, or refused entry product.

When a certified lot or shipment contains more than the amount noted on the certificate, the inspector will refer to Table 27-A. If the overage does not exceed the allowance, it may remain in the lot or shipment; if it exceeds the allowance, the entire amount over the one certified must be removed and segregated. Such overage is not considered eligible for import inspection until proper foreign certification is produced.

In any of the above instances, the inspector will note the variations on copy 3 of MP Form 410 before returning it to the U.S. Customs official.

Table 27-A - Overage Allowance
Amount (Units)

Certified	Allowed
50 - under	0
51 - 100	1
101 - 200	2
201 - 400	4
401 - 600	5
601 - 1,200	6
1,201 - 2,000	7
2,001 - 5,000	8
5,000 - 10,000	10
10,001 - Over	15

27.3 APPLICATION; FORM MP 410**(a) Local MPI Office**

Importers shall prepare Form MP 410 in advance of product arrival for each entry number and present it to the MPI office in the circuit where product is to be offered for inspection.

If a corrected MP 410 is required, conspicuously mark "Corrected Report" along the top. For completion and distribution see the form and Chart 20.1.

(b) Area Office

If import inspection cannot be done within a circuit for lack of acceptable facilities or inspection manpower, importers shall submit an application to the area office. This office will advise where product is to be presented for most expedient inspection.

(c) U.S. Customs

Whenever products arrive at U.S. port or point of entry where MPI personnel are not assigned, importers may submit application to U.S. Customs officials, who will institute procedures for shipping product to destination locations where inspection facilities and personnel are available.

(d) Shipment Approval

Shipment to any initial destination shall not be made without prior confirmation that inspection facilities and personnel are adequate for inspection.

(e) Horsemeat

Application for horsemeat shipment shall identify the ultimate consignee's name and address. Brokers, intermediate agents, or warehouses are not usually considered ultimate consignees.

(f) Accurate Information

The inspector shall check all information on the application to assure its accuracy, and shall return to

the applicant any application with incorrect or unsatisfactory information.

The inspector must not inspect any lot not accompanied by Form MP 410.

27.4 FACILITIES, EQUIPMENT

Adequate facilities and equipment are necessary for proper and efficient inspection, and to prevent product mishandling and contamination.

(a) Importer's Responsibility

Importers are responsible for:

1. Presenting product for import inspection at facilities approved by MPI.
2. Sanitation and maintenance of such facilities.
3. Adequate help to aid the inspector with sampling presentation and product marking.

(b) Location

Official inspection facilities may be located in portside sheds, warehouses, or other approved areas.

An importer, requesting inspection where MPI personnel are not assigned, shall reimburse MPI, if such request is granted, for any overtime the inspector incurs. Base time, travel expenses, or subsistence are not included.

(c) Minimum Requirements

The following sanitary facility requirements must be met before inspectors will perform import inspection:

1. Freedom from dust, vermin, rodents, etc.
2. Sanitary rust resistant metal equipment (preferably stainless steel).
3. Equipment surface contacting exposed product shall not be constructed or coated with unacceptable material.

4. Adequate lighting (minimum 50 ft. candles).

5. Ample supply of hot and cold running water from approved sources (certification **on** file).

6. Handwashing facilities, disposable towels, and approved liquid soap.

7. Acceptable and conveniently located restrooms.

8. Inspector's office, or space to prepare reports.

9. Approved cleaning and sanitizing agents.

10. Acceptable means to secure samples.

27.5 MARKING, LABELING

(a) Approval

Shipping container marks--including those for bulk-packed, boneless meats--must be approved by area supervisor of location where products are presented for inspection.

Labels for immediate containers, including artificial casings, bags or printed wrappers, must be approved by STS-LP. Importers must submit enough copies of each requested approval to satisfy all locations where they intend to offer the product for inspection.

(b) Product Designation

Designations such as "bull beef," "cow beef," "forequarter beef," "hind-quarter beef," etc., are not permitted as markings. Proper designation is "boneless beef" followed by country's name.

Exception! Cheek meat shall follow the proper designation such as "boneless beef-cheek meat" since it is a restricted material of certain products.

Individual cuts may be identified on cartons by specific accepted names, such as "inside rounds," "outside

The reverse of this page is intended to be blank

Subpart L--Meat Specialties, Puddings
and Nonspecific Loaves

- 319.280 Scrapple.
- 319.281 Bockwurst.

Subpart M--Canned, Frozen, or Dehydrated Meat
Food Products

- 319.300 Chili con carne.
- 319.301 Chili con carne with beans.
- 319.302 Hash.
- 319.303 Corned beef hash.
- 319.304 Meat stews.
- 319.305 Tamales.
- 319.306 Spaghetti with meat balls and sauce, spaghetti with meat and sauce,
and similar products.
- 319.307 Spaghetti sauce with meat.
- 319.308 Tripe with milk.
- 319.309 Beans with frankfurters in sauce, sauerkraut with wieners and juice,
and similar products.
- 319.310 Lima beans with ham in sauce, beans with ham in sauce, beans with
bacon in sauce, and similar products.
- 319.311 Chow mein vegetables with meat, and chop suey vegetables with meat.
- 319.312 Pork with barbecue sauce and beef with barbecue sauce.
- 319.313 Beef with gravy and gravy with beef.

Subpart N--Meat Food Entree Products, Pies, and Turnovers

- 319.500 Meat pies.

Subpart O--Meat Snacks, Hors d'Oeuvres, Pizza, and Specialty Items

- 319.600 Pizza.

Subpart P--Fats, Oils, Shortenings

- 319.700 Oleomargarine or margarine.
- 319.701 Mixed fat shortening.
- 319.702 Lard, leaf lard.
- 319.703 Rendered animal fat or mixture thereof.

Subpart Q--Meat Soups, Soup Mixes, Broths, Stocks, Extracts

- 319.720 Meat extract.
- 319.721 Fluid extract of meat.

Subpart R--Meat Salads and Meat Spreads

- 319.760 Deviled ham, deviled tongue and similar products.
- 319.761 Potted meat food product and deviled meat food product.
- 319.762 Ham spread, tongue spread, and similar products.

Subpart S--Meat Baby Foods
(Reserved)

Subpart T--Dietetic Meat Foods
(Reserved)

Subpart U--Miscellaneous

- 319.880 Breaded products.
- 319.881 Liver meat food products.

Subpart V--Combination Meat and Nonmeat Protein Products

- 319.900 Combination cured meats.

PART 320-RECORDS, REGISTRATION, AND REPORTS

- Sec.
- 320.1 Records required to be kept.
- 320.2 Place of maintenance of records.
- 320.3 Record retention period.
- 320.4 Access to and inspection of records, facilities and inventory; copying and sampling.
- 320.5 Registration.
- 320.6 Information and reports required from official establishment operators.
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- Sec.
- 321.1 Assistance to State and Territorial programs.
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PART 322-EXPORTS¹

- Sec.
- 322.1 Manner of affixing stamps and marking products for export.
- 322.2 Export stamps and certificates; instructions concerning issuance.
- 322.3 Transferring products for export.
- 322.4 Clearance of vessels and transportation without certificate prohibited; exceptions.
- 322.5 Uninspected tallow, stearin, oleo oil, etc., not to be exported unless certified as prescribed.

PART 325-TRANSPORTATION

- Sec.
- * 325.1 Transactions in commerce prohibited without official inspection *
- * legend or certificate; exceptions; and vehicle sanitation *
- * requirements. *

¹Attention is directed to the requirements of Part 325 of this subchapter, governing transportation, and to the requirements of § 318.8 of this subchapter that products prepared under that section for export be destroyed for food purposes before being sold or offered for sale for domestic use.

(d) (1) The requirements of the Act and the regulations in this subchapter for inspection of the preparation of products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment in any State or organized Territory, for sale in normal retail quantities or service of such articles to consumers at such establishments, if such establishments would be subject to such inspection provisions only because the State or Territory is designated under paragraph 301(c) of the Act.

(2) For purposes of subparagraph (1) of this paragraph:

(i) Operations of types traditionally and usually conducted at retail stores and restaurants are the following:

(a) Cutting up, slicing, and trimming carcasses, halves, quarters, or wholesale cuts into retail cuts such as steaks, chops, and roasts, and freezing such cuts;

(b) Grinding and freezing products made from meat;

* (c) Curing, cooking, smoking, rendering or refining of livestock fat, or *
* other preparation of products, except slaughtering or the retort processing of *
* canned products; *

(d) Breaking bulk shipments of products;

(e) Wrapping or rewrapping products.

(ii) Any quantity or product purchased by a consumer from a particular retail supplier shall be deemed to be a normal retail quantity if the quantity so purchased does not in the aggregate exceed one-half carcass. The following amounts of product will be accepted as representing one-half carcass of the species identified:

	One-half carcass pounds
Cattle -----	300
Calves -----	37.5
Sheep -----	27.5
Swine -----	100
Goats -----	25

(iii) A retail store is any place of business where the sales of product are made to consumers only; at least 75 percent, in terms of dollar value, of total dollar value of sales of product to household consumers and the total dollar value of sales of product to consumers other than household *
* consumers does not exceed \$18,000 per calendar year (i.e., January 1 through *
* December 31); only federally or State inspected and passed product is handled *
or used in the preparation of any product, except that product resulting from the custom slaughter or custom preparation of product may be handled or used in accordance with paragraph (a)(2) and (b) of this subchapter but not for sale; no sale of product is made in excess of a normal retail quantity as defined in subdivision (ii) of this subparagraph; the preparation of products for sale to household consumers is limited to traditional and usual operations as defined in subdivision (i) of this subparagraph; and the preparation of products for sale to other than household consumers is limited to traditional

and usual operations as defined in (a), (b), (d), and (e) of subdivision (i) of this subparagraph. (A retail store at which custom slaughtering or preparation of products is conducted is not thereby disqualified from exemption as a retail store under this paragraph (d).)

(iv) A restaurant is any establishment where product is prepared only for sale or service, in meals, or as entrees, directly to individual consumers at such establishment; only federally or State inspected and passed product or such product prepared at a retail store exempted under subdivision (iii) of this subparagraph is handled or used in the preparation of any product; no sale of product is made in excess of a normal retail quantity as defined in subdivision (ii) of this subparagraph; and the preparation of product is limited to traditional and usual operations as defined in subdivision (i) of this subparagraph. This definition includes a caterer which delivers or serves product in meals, or as entrees, only to individual consumers and otherwise meets the requirements of this paragraph.

(v) Similar retail-type establishment: Any establishment which is a combination retail store and restaurant; any delicatessen which meets the requirements for a retail store or restaurant as prescribed in subdivision (iii) or (iv) of this subparagraph; or other establishment as determined by the Administrator in specific cases.

(vi) Consumer: Any household consumer, hotel, restaurant, or similar institution as determined by the Administrator in specific cases.

(3) Whenever any complaint is received by the Administrator from any person alleging that any retail store claiming exemption under this paragraph (d), in any designated State or organized Territory that is identified under section 205 of the Act (as one that does not have or is not exercising adequate authority with respect to recordkeeping requirements) has been operated in violation of the conditions prescribed in this section for exemption, and the Administrator, upon investigation of the complaint, has reason to believe that any such violation has occurred, he shall so notify the operator of the retail store and afford him reasonable opportunity to present his views informally with respect to the matter. Thereafter, if the Administrator still has reason to believe that such a violation has occurred, and that a requirement that the operator keep records concerning the operations of the retail store would effectuate the purposes of the Act, the Administrator shall order the operator to maintain complete, accurate, and legible records of total monthly purchases and of total monthly sales of meat, meat byproducts, and meat food products, in terms of dollar values of the products involved. Such records shall separately show total sales to household consumers and total sales to other consumers and shall be maintained for the period prescribed in §320.3 of this subchapter. If the operator maintains copies of bills of lading, receiving and shipping invoices, warehouse receipts, or similar documents which give the information required herein, additional records are not required by this subparagraph.

(e) The adulteration and misbranding provisions of the Act and the regulations in this subchapter, other than the requirement of the official inspection legend, apply to articles which are exempted from inspection or not required to be inspected under this section. This includes the requirement that any pork and any product containing pork be prepared only in compliance

(d) Aprons, frocks, and other outer clothing worn by persons who handle any product shall be of material that is readily cleansed. Clean garments shall be worn at the start of each working day and the garments shall be changed during the day when required by the inspector in charge.

(e) Such practices as spitting on whetstones; spitting on the floor; placing skewers, tags, or knives in the mouth; inflating lungs or casings with air from the mouth; or testing with air from the mouth such receptacles as tierces, kegs, or casks, containing or intended as containers of any product, are prohibited. Only mechanical means may be used for such testing. Care shall be taken to prevent the contamination of product with perspiration, hair, cosmetics, medications, and similar substances.

(f) Equipment or substances which generate gases or odors shall not be used in official establishments except as permitted by the regulations in this part or by the circuit supervisor in specific cases in which he determines that such use will not result in adulteration of any product.

§ 308.9 Protective handling of products.

Products shall be protected from contamination from any source such as dust, dirt, or insects during storage, loading, or unloading at and transportation from official establishments.

§ 308.10 Slack barrels and similar containers and means of conveyance used for product; paper in contact with product.

(a) When necessary to avoid contamination of product with wood splinters or similar contaminants, slack barrels and similar containers and the cargo space of trucks, railroad cars, or other means of conveyance shall be lined with suitable material of good quality before packing.

(b) Slack barrels and similar containers and trucks, railroad cars, and other means of conveyance in which any product is transported shall be kept in a clean and sanitary condition.

(c) Paper used for covering or lining slack barrels and similar containers and the cargo space of trucks, railroad cars, or other means of conveyance shall be of a kind which does not tear during use but remains intact when moistened by the product and does not disintegrate.

§ 308.11 Burlap wrapping for meat.

Since burlap used without any other material as a wrapping for meat deposits lint on the meat and does not sufficiently protect it from outside contamination, the use of burlap as wrapping for meat will not be permitted unless the meat is first wrapped with good grade of paper or cloth of a kind which will prevent contamination with lint or other foreign matter.

* § 308.12 Second-hand tubs, barrels, and other containers. *

* Second-hand tubs, barrels, and boxes intended for use as containers of any product shall be inspected when received at the official establishment and before they are cleaned. Those showing evidence of misuse rendering them *

unfit to serve as containers for food products shall be rejected. The use of those showing no evidence of previous misuse may be allowed after they have been thoroughly and properly cleaned. Steaming, after thorough scrubbing and rinsing, is essential to cleaning tubs and barrels.

* * * * *

§ 308.13 Inedible operating and storage rooms; outer premises, docks, driveways, approaches, pens, alleys, etc.; flybreeding material; other conditions.

All operating and storage rooms and departments of official establishments used for inedible materials shall be maintained in acceptably clean condition. The outer premises of every official establishment, including docks and areas where cars and vehicles are loaded, and the driveways, approaches, yards, pens, and alleys, shall be properly paved and drained and kept in clean and orderly condition. All catch basins on the premises shall be of such construction and location and shall be given such attention as will insure their being kept in acceptable condition as regards odors and cleanliness. Catch basins shall not be located in departments where any product is prepared, handled, or stored. The accumulation of the premises of official establishments of any material in which flies may breed, such as hog hair, bones, paunch contents, or manure, is forbidden. No other conditions that may result in adulteration or product or interfere with inspection shall be allowed in any official establishment or on its premises.

§ 308.14 Employment of diseased persons.

No operator of an official establishment or other person preparing product in an official establishment shall employ, in any department where any product is handled or prepared, any person showing evidence of a communicable disease in a transmissible stage, or known to be a carrier of such a disease, or while affected with boils, sores, infected wounds, or other abnormal sources of microbiological contaminants.

§ 308.15 Tagging insanitary equipment, utensils, rooms or compartments.

When, in the opinion of a Program employee, any equipment, utensil, room, or compartment at an official establishment is unclean or its use would be in violation of any of the regulations in this subchapter, he will attach a "U.S. Rejected" tag thereto. No equipment, utensil, room, or compartment so tagged shall again be used until made acceptable. Such tag so attached shall not be removed by anyone other than a Program employee.

(g) Under no circumstances shall the original or the triplicate of such certificate be used for the purpose prescribed by paragraph (e) of this section for the duplicate.

(h) Upon request, official export certificates and export meat inspection stamps may be issued for export consignments of product of official establishments not under their supervision, provided the consignments are first identified as having been "U.S. inspected and passed" and are found to be neither adulterated nor misbranded.

§ 322.3 Transferring products for export.

When inspected and passed products for export are transferred from tank cars to other containers on vessels, such transfer shall be done in accordance with the provisions of Part 350 of Subchapter B of this chapter.

§ 322.4 Clearance of vessels and transportation without certificate prohibited; exceptions.

No clearance shall be given to any vessel having on board any product destined to any foreign country, and no person operating any vessel, and no railroad or other carrier, shall receive for transportation or transport from the United States to any foreign country, any products, unless and until an official export certificate covering the same has been issued and delivered as provided in this part, except in the case of inspected and passed ship stores and not more than 50 pounds of inspected and passed product for the exclusive personal use of the consignee and not for sale or distribution, and except for exempted product eligible for exportation under the provisions of the Act and the regulations in this subchapter and inedible product that is not capable of use as human food and is eligible for exportation under other provisions of said regulations.

§ 322.5 Uninspected tallow, stearin, oleo oil, etc., not to be exported unless certified as prescribed.

No tallow, stearin, oleo oil, or the rendered fat derived from the carcasses of livestock, that has not been inspected and passed, and so marked in compliance with the regulations in this subchapter shall be exported, unless the product has been denatured as required by § 314.5 or § 325.13 of this subchapter or identified and marked as prescribed by § 325.11 of this subchapter, and unless the exporter files with the Director of Customs at the port from which the export shipment is made a certificate so stating.

PART 325--TRANSPORTATION

AUTHORITY: The provisions of this Part 325 issued under sec. 21, Federal Meat Inspection Act, as amended by the Wholesome Meat Act (21 U.S.C. Supp., sec. 601 et seq.), and Public Law 91-342; Talmadge-Aiken Act of Sept. 28, 1962, (7 U.S.C. 450); Act of July 24, 1919, (7 U.S.C. 394); subsection 21(b), Federal Water Pollution Control Act, as amended by Public Law 91-224 and by other laws.

- * § 325.1 Transactions in commerce prohibited without official inspection *
* legend or certificate; exceptions; and vehicle sanitation requirements. *

(a) No person shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any product which is capable of use as human food unless the product and its container, if any, bear the official inspection legend as required under Parts 316 and 317 of this subchapter or such product is exempted from the requirement of inspection under Part 303 of this subchapter.

(b) No carrier shall transport or receive for transportation in commerce (including transportation in the course of importation) and no person shall offer for such transportation any carcass, part thereof, meat or meat food product unless and until a certificate is made and furnished to such carrier in one of the forms prescribed in this part: Provided, That any product offered for importation into the United States may be transported and offered and received for transportation without such certificate, if such product is conveyed prior to inspection, to an authorized place of inspection, in railroad cars or other means of conveyance, or packages, sealed with special official import meat seals of the Department or with customs or consular seals or otherwise identified as provided in Part 327 of this subchapter: And provided further, That no such certificate is required for any product exempted from inspection under subsection 23(a) of the Act or any article handled in accordance with § 325.11(e) (2), (3), or (4).

* (c) No person, engaged in the business of buying, selling, freezing, *
* storing, or transporting, in or for commerce, meat or meat food products capa- *
* ble of use as human food, or importing such articles, shall transport, offer *
* for transportation, or receive for transportation in commerce or in any State *
* designated under § 331.2 of this subchapter, any such meat or meat food product *
* which is capable of use as human food and is not wrapped, packaged, or other- *
* wise enclosed to prevent adulteration by airborne contaminants, unless the *
* railroad car, truck or other means of conveyance in which the product is con- *
* tained or transported is completely enclosed with tight fitting doors or other *
* covers for all openings. In all cases, the means of conveyance shall be *
* reasonably free of foreign matter (such as dust, dirt, rust, or other articles *
* or residues), and free of chemical residues, so that product placed therein *
* will not become adulterated. Any cleaning compound, lye, soda solution, or *
* other chemical used in cleaning the means of conveyance must be thoroughly *
* removed from the means of conveyance prior to its use. Such means of convey- *
* ance onto which product is loaded, being loaded, or intended to be loaded, *
* shall be subject to inspection by an inspector at any official establishment. *
* The decision whether or not to inspect a means of conveyance in a specific *
* case, and the type and extent of such inspection shall be at the Program's dis- *
* cretion and shall be adequate to determine if product in such conveyance is, *
* or when moved could become, adulterated. Circumstances of transport that can *
* be reasonably anticipated shall be considered in making said determination. *
* These include, but are not limited to, weather conditions, duration and dis- *
* tance of trip, nature of product covering, and effect of restowage at stops *
* en route. Any means of conveyance found upon such inspection to be in such *
* condition that product placed therein could become adulterated shall not be *
* used until such condition which could cause adulteration is corrected. Prod- *
* uct placed in any means of conveyance that is found by the inspector to be in *
* such condition that the product may have become adulterated shall be removed *
* from the means of conveyance and handled in accordance with § 318.2(d) of this *
* subchapter. *

§ 325.2 Parcel post and ferries deemed carriers.

(a) For the purposes of this subchapter, the United States parcel post shall be deemed a carrier, and the provisions of this subchapter relating to transportation by carrier shall apply, so far as they may be applicable, to transportation by parcel post.

(b) For the purposes of this subchapter, the operator of every ferry shall be deemed a carrier, and the provisions of this subchapter relating to transportation by carrier shall apply to transportation by ferry of any product loaded on a truck or other vehicle, or otherwise moved by such ferry.

§ 325.3 Product transported within the United States as part of export movement.

When any shipment of any product is offered to any carrier for transportation within the United States as a part of an export movement, the same certificate shall be required as if the shipment were destined to a point within the United States.

§ 325.4 U.S. inspected, passed, and marked product; certificate.

(a) When any product (including any imported product) which has been inspected and passed and bears the official inspection legend on the outside container (or on the product if not in a container) is offered to any initial carrier for transportation in commerce, the carrier shall require, and the shipper shall make and deliver to the carrier, a certificate in the following form:

(1) Such producer slaughters not more than 250 turkeys, or not more than an equivalent number of birds of all species, during the calendar year for which this exemption is being determined (four birds of other species being deemed the equivalent of one turkey);

(2) Such poultry producer does not engage in buying or selling poultry products other than those produced from poultry raised on his own farm; and

(3) None of such poultry moves in "commerce" (as defined in § 381.1).

(d) (1) The requirements of the Act and the regulations for inspection of the processing of poultry and poultry products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants, in any State or organized territory, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments would be subject to such inspection provisions only because the State or territory is designated under paragraph 5(c) of the Act. (This exemption does not apply to establishments at which poultry products are processed for commerce.)

(2) For the purposes of subparagraph (1) of this paragraph:

(i) Operations of types traditionally and usually conducted at retail stores and restaurants include any processing of poultry products except canning of poultry products and except slaughtering of poultry unless such slaughtering is conducted at a retail store with respect to live poultry purchased by the consumer at the retail store and processed by the retail store operator in accordance with the consumer's instructions.

(ii) A normal retail quantity is any quantity of a poultry product purchased by a household consumer from a retail supplier that in the aggregate does not exceed 75 pounds. A normal retail quantity sold by a retail supplier to other than a household consumer is any quantity that in the aggregate does not exceed 150 pounds.

(iii) A retail store is any place of business where sales of poultry products are made to consumers only; at least 75 percent, in terms of dollar value, of total sales of poultry products represents sales to household consumers and the total dollar value of sales of poultry products to consumers * other than household consumers does not exceed \$18,000 per calendar year (i.e., * January 1 through December 31); only federally or State inspected and passed, * or exempted (or, as provided in § 381.223, State or local agency inspected and passed or exempted) poultry products are handled or used in the preparation of any poultry products; no sale of poultry products is made in excess of a normal retail quantity as defined in subdivision (ii) of this subparagraph; and the processing of poultry products for sale is limited to traditional and usual operations as defined in subdivision (i) of this subparagraph.

(iv) A restaurant is any establishment where poultry products are processed only for sale or service, in meals, or as entrees, directly to individual consumers at such establishment; only federally inspected and passed, or exempted (or, as provided in § 381.223, State or local agency inspected and passed or exempted) poultry products are handled or used in the preparation of any poultry products; no sale of poultry products is made in excess of a normal

retail quantity as defined in subdivision (ii) of this subparagraph; and the processing of poultry products is limited to traditional and usual operations as defined in subdivision (i) of this subparagraph.

(v) A similar retail-type establishment is any establishment which is a combination retail store and restaurant; any delicatessen which meets the requirements for a retail store or restaurant as prescribed in subdivision (iii) or (iv) of this subparagraph; or other establishment as determined by the Administrator in specific cases.

(vi) A consumer is any household consumer, hotel, or restaurant, or similar institution as determined by the Administrator in specific cases.

(3) Whenever any complaint is received by the Administrator from any person alleging that any retail establishment or restaurant claiming exemption under this paragraph (d) in any designated State or organized territory listed in § 381.221 that is also identified in § 381.224 as a jurisdiction that does not have or is not exercising adequate authority with respect to recordkeeping requirements, has been operated in violation of the conditions prescribed in this paragraph (d) for such exemption, and the Administrator, upon investigation of the complaint, has reason to believe that any such violation has occurred, he shall so notify the operator of the retail establishment or restaurant and afford him reasonable opportunity to present his views informally with respect to the matter. Thereafter, if the Administrator determines that such a violation has occurred, and that a requirement that the operator keep records concerning the operations of the retail establishment or restaurant would effectuate the purposes of the Act, the Administrator shall order the operator to maintain complete, accurate, and legible records of his total monthly purchases and of his total monthly sales of poultry and poultry products. Such records shall separately show total sales to household consumers and total sales to other consumers, and shall be maintained for the period prescribed in § 381.177. If the operator maintains copies of bills of lading, receiving and shipping invoices, warehouse receipts, or similar documents which give the information required herein, additional records are not required by this subparagraph.

(4) The adulteration and misbranding provisions of the Act and the regulations other than the requirement of the official inspection legend, apply to articles which are exempted from inspection under this paragraph (d).

§ 381.11 Exemptions based on religious dietary laws.

(a) Any person who slaughters, processes, or otherwise handles poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws may apply for exemption from specific provisions of the Act or regulations which are in conflict with such religious dietary laws. Any person desiring such an exemption shall apply in writing to the Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, Department of Agriculture, Washington, D.C. 20250, setting forth the specific provisions of the Act and the regulations from which exemption is sought and setting forth the provisions of the religious dietary laws in support of the requested exemption. In addition, the applicant for such an exemption

§ 381.186 Cooperation of States and other jurisdictions in Federal programs.

Under the "Talmadge-Aiken Act" of September 28, 1962 (7 U.S.C. 450), the Administrator is authorized under stated conditions to utilize employees and facilities of any State in carrying out Federal functions under the Poultry Products Inspection Act. A cooperative program for this purpose is called a Federal-State program. Under paragraph (a) of section 5 of the Poultry Products Inspection Act, the Administrator is also authorized to conduct examinations, investigations, and inspections under the Act through any officer or employee of any State or territory or the District of Columbia commissioned by him for such purpose.

§ 381.187 [Reserved]

Subpart S -Transportation; Exportation; or Sale of Poultry or Poultry Products

§ 381.189 Provisions inapplicable to specimens for laboratory examination, etc., or to naturally inedible articles.

The provisions of this Subpart do not apply:

(a) To dead, dying, disabled or diseased poultry and specimens of undenatured, uninspected or adulterated carcasses, parts, or products of poultry sent to or by the Department of Agriculture or divisions thereof in Washington, D.C., or elsewhere, for laboratory examination, exhibition purposes, or other official use;

(b) To dead, dying, disabled or diseased poultry and specimens of undenatured, uninspected or adulterated carcasses, parts, or products of poultry thereof for educational, research, or other nonfood purposes shipped under permit issued by the inspector in charge upon his determination that collection and movement thereof will not interfere with inspection or sanitary conditions at the establishment, and the specimens are for nonfood purposes. The person desiring such specimens shall make a written application to the inspector in charge for such permit on Form MP-112 and shall obtain permission from the operator of the official establishment to obtain the specimens. Permits shall be issued for a period not longer than one year. The permit may be revoked by the inspector in charge if he determines after notice and opportunity to present views is afforded to the permittee that any such specimens were not used as stated in the application, or if the collection or handling of the specimens interferes with inspection or the maintenance of sanitary conditions in the establishment. The specimens referred to in this paragraph shall be collected and handled only at such time and place and in such manner as not to interfere with the inspection or to cause any objectionable condition and shall be identified as inedible when they leave the establishment.

(c) To parts of poultry carcasses that are naturally inedible by humans, such as entrails and feathers in their natural state.

§ 381.190 Transactions in slaughtered poultry and other poultry products restricted; vehicle sanitation requirements.

(a) No person shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce or from any official establishment, any slaughtered poultry from which the blood, feathers, feet, head, or viscera have not been removed in accordance with the regulations.

(b) No person shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any slaughtered poultry or other poultry product which is capable of use as human food and is adulterated or fails to bear an official inspection legend or is otherwise misbranded at the time of such sale, transportation, offer or receipt, except as otherwise provided in Subpart C or T. However, poultry heads and feet which are collected and handled at an official establishment in an acceptable manner may be shipped from the official establishment and in commerce directly for export for further processing as human food, if they have been examined and found to be suitable for such purpose, by an inspector and are labeled as prescribed in this paragraph. The containers of all such products shall bear a label showing: (1) The name of the products; (2) the name and address of the packer or distributor, and, when the name of the distributor is shown, it shall be qualified by such terms as "packed for," "distributed by," or "distributors"; and (3) the official establishment number of the establishment where packed. Such products shall not bear the official inspection legend.

* (c) No person, engaged in the business of buying, selling, freezing, *
* storing, or transporting, in or for commerce, poultry products capable of use *
* as human food, or importing such articles, shall transport, offer for transpor- *
* tation, or receive for transportation in commerce or in any State designated *
* under § 381.221, any poultry product which is capable of use as human food and *
* is not wrapped, packaged, or otherwise enclosed to prevent adulteration by air- *
* borne contaminants, unless the railroad car, truck, or other means of conveyance *
* in which the product is contained or transported is completely enclosed with *
* tight fitting doors or other covers for all openings. In all cases, the means *
* of conveyance shall be reasonably free of foreign matter (such as dust, dirt, *
* rust, or other articles or residues), and free of chemical residues, so that *
* product placed therein will not become adulterated. Any cleaning compound, *
* lye, soda solution, or other chemical used in cleaning the means of conveyance *
* must be thoroughly removed from the means of conveyance prior to its use. Such *
* means of conveyance onto which product is loaded, being loaded, or intended to *
* be loaded, shall be subject to inspection by an inspector at any official estab- *
* lishment. The decision whether or not to inspect a means of conveyance in a *
* specific case, and the type and extent of such inspection shall be at the *
* Inspection Service's discretion and shall be adequate to determine if product *
* in such conveyance is, or when moved could become, adulterated. Circumstances *
* of transport that can be reasonably anticipated shall be considered in making *
* said determination. These include, but are not limited to, weather conditions, *
* duration and distance of trip, nature of product covering, and effect of restow- *
* age at stops en route. Any means of conveyance found upon such inspection to *
* be in such condition that poultry product placed therein could become adulter- *
* ated shall not be used until such condition which could cause adulteration is *
* corrected. Poultry product placed in any means of conveyance that is found by *
* the inspector to be in such condition that the poultry product may have become *
* adulterated shall be removed from the means of conveyance and handled in *
* accordance with § 381.145(b).

§ 381.191 Distribution of inspected products to small lot buyers.

For the purpose of facilitating the distribution in commerce of inspected poultry products to small lot buyers (such as small restaurants), distributors or jobbers may remove inspected and passed non-consumer-packaged poultry carcasses or consumer-packaged poultry products from shipping containers or immediate containers, other than consumer packages, and place them into other containers which do not bear an official inspection mark: Provided, That the individual non-consumer-packaged carcasses bear the official inspection legend and the official establishment number of the establishment that processed the articles; and the consumer-packaged articles are fully labeled in accordance with Subpart N: And provided further, That the other container is marked with the name and address of the distributor or jobber and bears the statement "The poultry product contained herein was inspected by the U.S.D.A." in the case of poultry products processed in the United States, or the statement "The poultry products contained herein have been approved for importation under P.P.I.A." in the case of imported poultry products.

§ 381.192 Penalties inapplicable to carriers.

No carrier shall be subject to the penalties of the Act, other than the penalties for violation of section 11, by reason of his receipt, carriage, holding, or delivery, in the usual course of business, as a carrier, of poultry or poultry products, owned by another person, unless the carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe that such poultry or poultry products were not inspected or marked in accordance with the provisions of the Act or where otherwise not eligible for transportation under the Act, or unless the carrier refuses to furnish on request of a representative of the Secretary, the name and address of the person from whom he received such poultry or poultry products, and copies of all documents, if any there be, pertaining to the delivery of the poultry or poultry products to such carrier.

UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Washington, D.C. 20250

Official Business
Penalty for Private Use, \$300

POSTAGE AND FEES PAID
U.S. DEPARTMENT OF
AGRICULTURE
AGR 101



FIRST CLASS